

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BRICKLAYERS AND ALLIED CRAFTS	:	
UNION LOCAL NO. 1 OF DE/PA WELFARE	:	
FUND, et al.	:	
	:	Civil Action No. 07- 145 (GMS)
Plaintiffs	:	
	:	
v.	:	
	:	
EDWARD WILKINSON CO., INC.	:	
	:	
Defendant	:	

REQUEST TO ENTER DEFAULT PURSUANT TO F.R.C.P. 55(a)

You will please enter a default on Defendant, Edward Wilkinson Co., Inc. ("Company" or "Defendant"), for its failure to plead or otherwise defend the Amended Complaint filed on April 5, 2007 as provided in Rule 55(a) of the Federal Rules of Civil Procedure as appears in the attached declaration of Rick S. Miller, Esquire.

Respectfully submitted,

FERRY, JOSEPH & PEARCE, P.A.

By: /s/ Rick S. Miller
RICK S. MILLER (#3418)
Ferry, Joseph & Pearce, P.A.
824 Market St., Suite 904
P.O. Box 1351
Wilmington, DE 19899
(302) 575-1555

Date: May 1, 2007

OF COUNSEL:
SANFORD G. ROSENTHAL
JESSICA L. TORTELLA
The Penn Mutual Towers, 16th Floor
510 Walnut Street
Philadelphia, PA 19106
(215) 351-0611/0669

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	:	
v.	:	
	:	
EDWARD WILKINSON CO., INC.	:	
	:	
Defendant	:	

DECLARATION OF RICK S. MILLER FOR ENTRY OF DEFAULT

RICK S. MILLER, Esquire, declares and states as follows:

1. I am the attorney for the Plaintiffs in the above-entitled action.
2. The Amended Complaint and Summons in this action were served on Edward Wilkinson Co., Inc. on April 5, 2007 at its Registered Agent's (United States Corporation Company) office located at 2711 Centerville Road, Suite 400, Wilmington, DE 19808 by Barry Eveland, Process Server, who served Mary Drummond, the person in charge at United States Corporation Company (Registered Agent) , as appears from the Affidavit of Service of the Amended Complaint which has been duly docketed with the Court.
3. The time in which the Defendant may answer or otherwise move as to the Complaint has expired.
4. The Defendant has not answered or otherwise moved and the time for Defendant to answer or otherwise move has not been extended.
5. Inasmuch as the Company is a corporation, it is not in the military service.

6. Defendant is neither an infant nor an incompetent person.

I declare under penalty of perjury in accordance with 28 U.S.C. §1746 that the foregoing is true and correct to the best of my knowledge, information and belief

Date: May 1, 2007

/s/ Rick S. Miller
RICK S. MILLER, ESQUIRE (#3418)

CERTIFICATE OF SERVICE

I, Rick S. Miller, Esquire, state under penalty of perjury that I caused a copy of the foregoing Request to Clerk to Enter Default Pursuant to F.R.C.P. 55(a) to be served via first class mail, postage prepaid on the date and to the address below:

Edward J. Wilkinson, Co., Inc.
90 Blue Hen Drive
Newark, DE 19713

and

United States Corporation Company
2711 Centerville Road
Suite 400
Wilmington, DE 19808

Date: May 1, 2007

/s/ Rick S. Miller
RICK S. MILLER, ESQUIRE (#3418)

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